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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

U.S. Magistrate Judge Brian A. Tsuchida

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA, Plaintiff, v. TUAN VAN LE, ALEX CHAPACKDEE, SAMATH KHANHPHONGPHANE and PHI NGUYEN, Defendants.	CASE NO. MJ17-180 COMPLAINT for VIOLATION Title 21, U.S.C. Sections 841(a)(1), 841(b)(1)(B) and 846

BEFORE, the Honorable Brian A. Tsuchida, United States Magistrate Judge, U. S. Courthouse, Seattle, Washington.

The undersigned complainant being duly sworn states:

COUNT 1

(Conspiracy to Distribute Marijuana)

Beginning at a time unknown, but within the last five years, and continuing through the present, in King County, Washington, within the Western District of Washington, and elsewhere, TUAN VAN LE, ALEX CHAPACKDEE, SAMATH

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KHANHPHONGPHANE and PHI NGUYEN and others persons known and unknown, knowingly and intentionally did conspire to distribute marijuana, a substance controlled under Schedule I, Title 21, United States Code, Section 812.

It is further alleged that the offense involved 100 kilograms or more of a mixture or substance containing marijuana.

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B) and 846.

And the complainant states that this Complaint is based on the following information:

I, Mark Nakatsu, being first duly sworn on oath, depose and say:

INTRODUCTION

1. I, together with other agents of the FBI, Drug Enforcement Administration (DEA), and Homeland Security Investigations (HSI), as well as Task Force Officers of the Seattle Police Department (SPD), are currently investigating the Tuan Van Le Drug Trafficking Organization (DTO). The investigation shows that Tuan Van Le, Alex Chapackdee, Samath Khanhphongphane and Phi Nguyen, and others, are regularly smuggling large amounts of marijuana from the Western District of Washington to locations on the East Coast, including but not limited to locations in the Baltimore, Maryland area. These trips involve members of the DTO driving the marijuana straight from this District to the East Coast, typically without stopping except to get gas or food, and then returning in the same manner, likely with the cash proceeds.

AFFIANT BACKGROUND

2. I have been employed as an FBI Special Agent since June 1988. I am currently assigned to a Public Corruption and Organized Crime Squad within the Seattle Division of the FBI. During my employment with the FBI, I have investigated various federal criminal violations, to include corruption by law enforcement officials. I have attended the Federal Bureau of Investigation Special Agent Academy, and received training in public corruption investigations. I have participated in numerous narcotics

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investigations, including criminal violations of federal drug related offenses and/or of the Controlled Substances Act, during the course of which I have participated in physical surveillance, undercover operations, and executions of search warrants.

3. Because of this experience and training, I am familiar with common methods of investigating drug trafficking and manufacturing organizations, and have become familiar with the methods of operation of drug traffickers and manufacturers, including, but not limited to: their methods of importing, exporting, storing, concealing, and packaging drugs; their methods of transferring and distributing drugs, their use of cellular telephones and telephone pagers; their use of numerical codes, code words, and counter-surveillance; and other methods of avoiding detection of law enforcement. I am also familiar with the various methods of packaging, delivering, transferring, and laundering drug proceeds.

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other law enforcement officers and witnesses. Because it is submitted for the limited purpose of obtaining arrest warrants, it does not contain all of the information gathered in this investigation.

FACTS ESTABLISHING PROBABLE CAUSE

5. This application is part of an ongoing investigation into the Tuan Van Le DTO. As set forth below, there is probable cause to believe that Tuan Van Le and the other defendants have been facilitating drug trafficking in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1), and 846, and committing related offenses. There is also probable cause to believe that the organization has compromised at least one law enforcement officer, Alex Chapackdee, who is facilitating the criminal activity.

6. In June and July of 2015, a Confidential Human Source (CHS) of the FBI's Washington D.C. Division began providing information on the Tuan Van Le DTO.[1] The

[1] CHS was initially motivated by consideration of reduced charges for a family member of the CHS. Since then, approximately two years ago, CHS has wanted to do the right thing by reporting criminal activity and desiring to

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CHS's information has proven reliable and much has been corroborated, as set forth below.

7. CHS originally advised that Tuan Van Le regularly travels from Seattle, Washington to the Virginia and Maryland areas to conduct the sale of powder cocaine. Tuan Van Le travels with 6-10 other Asian individuals on different flights and days to Baltimore-Washington International Airport (BWI) on one-way tickets. The Tuan Van Le DTO has the powder cocaine delivered by truck from Seattle to New York. Once in New York, a portion is delivered by truck to Maryland. The cocaine is then put into storage units, which the customers access and pick up their purchase. The customers then meet and pay Tuan Van Le at casinos, such as Live Casino or the Horseshoe Casino. The money is placed into two large suitcases that are delivered or shipped back to Seattle.

8. Based upon my training and experience, I am aware that drug traffickers commonly purchase one-way airline tickets so that they can transport narcotics and/or cash in vehicle(s) traveling the other way.

9. In late July 2015, the CHS provided additional details on the Tuan Van Le DTO. CHS advised that Tuan Van Le has a brother-in-law that works in law enforcement, name and agency not given, who provides Tuan Van Le information on arrests and investigations that may connect to Tuan Van Le's DTO. Tuan Van Le pays his workers approximately $10,000 for every trip they make to Baltimore. Once in Baltimore, Tuan Van Le delegates work for them, such as picking up money or delivering narcotics in the Maryland, District of Columbia, and Virginia areas.

10. In May 2016, the CHS provided two photographs of Seattle Police Department Officer Alex Chapackdee, and identified him as the individual giving information to Tuan Van Le. CHS advised Alex Chapackdee is married to Tuan Van Le's sister, Lan Le. According to the CHS, Tuan Van Le used to depend on mules to

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continue working with the FBI. CHS has no criminal history and has only recently been paid for reimbursement of expenses relating to meeting with the FBI, but not for any services.

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conduct the narcotics business and transport of money back to Seattle, but he was getting ripped off a lot. Tuan Van Le then decided to have family members in charge of the transportation of money back to Seattle. Members of the Tuan Van Le DTO fly to BWI. Once in Baltimore, they wait for delivery of cocaine and marijuana, and then distribute it to the different areas. After about three days of work and after all the money is collected, four guys, including Alex Chapackdee, Tuan Van Le's nephew Phi Nguyen and two other Asian males, transport the money back to Seattle by driving cars. CHS was told by Tuan Van Le that he pays Alex Chapackdee $10,000 a month to keep an eye on all of Tuan Van Le's marijuana grow houses in Seattle and to provide law enforcement information. Tuan Van Le also pays Alex Chapackdee $15,000 for every trip he makes to Virginia and Maryland.

11. Tuan Van Le has a criminal history that reflects he was arrested in January 2002 by the Drug Enforcement Administration for conspiracy to distribute marijuana and he was subsequently sentenced to serve 21 months in federal prison.

12. Based upon the above noted information, the Seattle Division of the FBI initiated a public corruption/drug related investigation of Alex Chapackdee and the Tuan Van Le DTO.

13. A review of travel records and subpoenaed financial records confirmed that Tuan Van Le has made regular airline trips since early 2013, often one-way, from Seattle to BWI. Some of the trips to Baltimore were followed by charges to Tuan Van Le's debit card at convenience stores and gas stations along Interstate 90 and Interstate 94, which run east-west across the country, all of which is consistent with the CHS's description of Tuan Van Le and his conspirators transporting drug proceeds by vehicle back to Western Washington.

14. A review of travel records and subpoenaed financial records similarly confirmed that Alex Chapackdee made several one-way flights in 2015 from Seattle to BWI. Some of the trips to Baltimore were followed by charges to Alex Chapackdee's debit card at convenience stores and gas stations along Interstate 90 and Interstate 94,

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which run east-west across the country. On board the same one-way flight by Alex Chapackdee on October 24, 2015, from Seattle to BWI, was Phi Nguyen, believed to be Tuan Van Le's nephew, and a known associate, Samath Khanhphongphane. Again, this is consistent with the CHS's information provided to law enforcement.

15. In June 2016, the CHS advised that "Sam," last name unknown, is part of the Tuan Van Le DTO and helps to distribute the narcotics in Maryland, D.C., and Virginia.

16. "Sam" was identified as S.G., a suspected co-conspirator and known drug trafficker, who accompanied Tuan Van Le on two trips in November 2015 and February 2016 to Ho Chi Minh City (Saigon), Vietnam. S.G. resides in Maryland and has a criminal history reflecting a federal arrest in 2001 for cocaine conspiracy with intent to distribute. S.G. was sentenced in 2002 to serve 50 months of incarceration.

17. The CHS further advised that Tuan Van Le is married to "Michelle" Yu and he puts all of his assets under her name. According to the CHS, Michelle Yu is involved in the Tuan Van Le DTO and sometimes works in the Seattle area marijuana grow houses. Michelle Yu was identified as Meifang Yu.

18. According to AT&T, target telephone number (206) 651-6545 (hereafter TT1), was subscribed through Cricket Wireless/AT&T by Mei Yu, 4022 NE 10th Street, Renton, WA, on a prepaid plan that was activated on September 13, 2016. Prior to that date, the communications carrier for TT1 was T-Mobile on a pre-paid plan activated on March 13, 2013, for which T-Mobile did not maintain subscriber information.

19. Investigators believe the user for TT1 was Tuan Van Le based upon his utilizing TT1, number (206) 651-6545, as a contact number during a trip he took to Ho Chi Minh City in February 2016; his providing TT1 to the CHS as his contact number; and surveillance of Le that corresponds to the location data from the tracking warrants obtained on TT1 through the previous Court Orders.

20. According to T-Mobile, target telephone number (425) 442-2658 (hereafter TT2), has been subscribed since November 24, 2009, by Alex Chapackdee. According to

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AT&T, target telephone number (206) 369-6224 (hereafter TT3), has been subscribed since July 12, 2008, by Samath Khanhphanhphane. According to T-Mobile, target telephone number (206) 476-8095 (hereafter TT4), has been subscribed since June 8, 2015, by Phi A. Nguyen.

21. On August 2, 2016, this Court signed an Order authorizing the installation and use of a pen register and trap and trace, for provision of cell site data, to obtain other stored records, and to obtain tracking warrants for TT1 and TT2. Since that date, this Court has authorized renewal orders on the tracking warrants for TT1 and TT2 as well as the initiation of tracking warrants for TT3 and TT4.

22. The tracking warrants for TT1 and TT2 were utilized to monitor several trips that Tuan Van Le and Alex Chapackdee took from Seattle to the Maryland and Virginia areas, which are further detailed below. Later in the investigation, the tracking warrants for TT3 and TT4 similarly were used to monitor a trip where Samath Khanhphongphane and Phi Nguyen accompanied Le and Chapackdee on a trip to the east coast in April 2017, which is also detailed below.

September 2016 Trip

23. Through the location data for TT2, the FBI determined that Alex Chapackdee departed Seattle on September 6, 2016 and traveled eastbound on Interstate 90. The data revealed that Chapackdee travelled cross-country by vehicle and he arrived in Baltimore on September 8, 2016. The FBI suspected that Alex Chapackdee was traveling with other DTO members and they were transporting marijuana in a vehicle to the east coast for distribution. The location data for TT1 revealed that Tuan Van Le took a redeye flight out of Sea-Tac Airport to Dulles International Airport on September 7, 2016, arriving at Dulles on September 8, 2016 at approximately 6:15 am EDT. The location data for TT1 revealed that Le then traveled northward and arrived near a group of hotels near BWI. The data for TT2 revealed that Chapackdee arrived at the same area approximately one hour after making the cross-country trip without making a prolonged stop. During the afternoon of September 8, 2016, a tan colored 2000 Flair RV, WA plate

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LEM697C, registered to Alex Chapackdee was observed parked in the lot of the Westin Hotel near BWI.

24. On September 9, 2016, investigators observed Tuan Van Le, Alex Chapackdee, Phi Nguyen, Samath Khanhphongphane and an unknown Asian female together at the Westin Hotel near BWI Airport. Early that evening, Alex Chapackdee, Phi Nguyen, and Samath Khanhphongphane departed the Westin Hotel in Alex Chapackdee's Flair RV and they were last observed traveling westbound on Interstate 70. Based upon the information I have learned to date, I believe that the three individuals may have been transporting cash proceeds from the sale of marijuana back to Seattle.

25. Through the location data for TT1, the FBI determined that Tuan Van Le departed BWI Airport on September 11, 2016 at approximately 7:15 am EDT, and arrived back on the same date at Sea-Tac Airport shortly after noon PDT. Investigators observed that Le walked directly to the arrivals pick up area, and at approximately 12:20 pm PDT was seen talking on a cell phone while looking for a vehicle. Le then got into a white colored 2013 Mercedes GL450 registered to Meifang Yu. The vehicle was driven by Meifang Yu, and she along with Le then drove to their residence.

26. The location data for TT2 revealed that Alex Chapackdee traveled cross-country by vehicle from September 9, 2016 through September 11, 2016. Physical surveillance followed Chapackdee's Flair RV from approximately milepost 83 on Interstate 90 to his home in Seattle, Washington, which he arrived at approximately 6:40 pm PDT. Approximately 20 minutes later, Tuan Van Le was observed showing up at Alex Chapackdee's residence, driving the same Mercedes GL450 noted above.

27. Of note, investigators obtained, via legal process, bank records for Alex Chapackdee's bank account at Seattle Metropolitan Credit Union (SMCU). The account shows regular payroll deposits from the City of Seattle, consistent with Chapackdee's employment with the Seattle Police Department (SPD). It also showed cash deposits made by Chapackdee shortly after this trip, including a $520 deposit on September 13, 2016; a $1,720 deposit on September 14, 2016; and a $1,500 deposit on September 26,

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2016. I believe it is likely that Chapackdee was paid for this trip by Le and that these deposits reflect at least some of that payment. Also following this trip, Chapackdee financed the purchase of a 2007 Toyota Camry on September 14, 2016, and a 2010 Mercedes GL450 on September 15, 2016.

October 2016 Trip

28. Review of pole camera surveillance footage at Alex Chapackdee's home revealed that on October 17, 2016, at approximately 3:10 pm, Chapackdee took bags from the direction of his house and walked over to his parked Flair RV. Chapackdee handed the bags to someone inside the RV through the driver's side window. At 3:15 pm, Chapackdee moved the RV from being parked alongside the north side fence and re-parked it closer to a large tree on his property. At 4:46 pm, a red colored van with roof rack arrived at Chapackdee's residence and parked next to the RV. This vehicle was identified as a red colored 2006 Chevrolet Express 3D van, WA plate C07420E, owned by Tuan Van Le. A male resembling Tuan Van Le got out of the van and a short while later was seen loading boxes from the van into the Flair RV. At 4:56 pm, Meifang Yu arrived at the residence in the Mercedes GL450 and parked. The male resembling Tuan Van Le appeared to give Yu hand gestures to move the vehicle to the left. Yu then re-parked the vehicle in front of the gap between the red van and the RV so that the view was blocked from the street.

29. Review of location data for TT2 and surveillance of Alex Chapackdee determined he again departed from his home in his Flair RV on October 18, 2016, on another trip for which the FBI suspected he was traveling with other DTO members to deliver and distribute marijuana in the Maryland, D.C., and Virginia areas. Location data for TT2 determined Chapackdee traveled over east-west interstate highways and arrived in Maryland on October 20, 2016. The location data for TT2 revealed Alex Chapackdee stayed in the Maryland area until October 21, 2016, and then returned over east-west interstate highways and he was observed arriving at his residence in his Flair RV on October 23, 2016.

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30. During the time period of the above noted trip by Alex Chapackdee, location data was unavailable for TT1 because Tuan Van Le had changed carriers. However, the CHS advised investigators that Le flew to the Virginia/Maryland area on or about October 19, 2016 and remained in the area until on or about October 22, 2016.

31. Shortly before Alex Chapackdee arrived back at his home in his RV on October 23, 2016, a white colored Ford Expedition arrived at his residence. The Idaho State license plate on the vehicle indicated it was owned by Avis Rent-A-Car. A subpoena served on Avis determined the vehicle was rented by Phi Nguyen on October 18, 2016, at the Butte, Montana airport. On October 25, 2016, the Avis rental vehicle was observed departing Alex Chapackdee's residence.

32. The rental vehicle was returned to the Avis facility located at Sea-Tac Airport. The FBI then rented the vehicle prior to it being cleaned. A drug sniffing dog of the Port of Seattle Police Department alerted to drugs around the vehicle's exterior door seems and the interior rear cargo area. This was despite the fact that there was a very noticeable smell of air freshener that had been used in rear cargo area. I believe that Alex Chapackdee's RV encountered mechanical problems in Montana so he and Phi Nguyen were forced to rent a vehicle in order to complete the delivery of marijuana (or some other controlled substance) to Maryland and the transportation of cash proceeds back to Seattle.

33. A review of Chapackdee's bank records show cash deposits into his account soon after this trip, similar to the deposits outlined above. On October 25, 2016, Chapackdee deposited $9,000 in cash into his account. On October 28, 2016, Chapackdee deposited an additional $9,500 in cash into his account. Again, I believe it is likely that Chapackdee was paid for making this trip, and is depositing his fee into his bank account.

34. In addition, the fact that Chapackdee made two cash deposits, each just under $10,000, in a short period of time is significant. As a law enforcement professional, Chapackdee doubtless is aware that cash deposits in excess $10,000 trigger

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a currency transaction reporting requirement. I believe it is likely that Chapackdee structured these cash deposits to avoid that reporting requirement, a possible violation of 31 U.S.C. § 5324.

November 2016 Trip

35. Surveillance and review of location data for TT1 and TT2 revealed that Tuan Van Le and Alex Chapackdee took another trip to the Baltimore area on November 16-23, 2016, in which they are believed to have transported marijuana in a sport utility vehicle (SUV) for distribution and then returned in a different vehicle with the cash proceeds. Location data for TT2 revealed Alex Chapackdee departed his residence on November 16, 2016, and traveled over east-west interstate highways and arrived in Maryland on November 18, 2016. Location data for TT1 revealed Tuan Van Le flew from Sea-Tac Airport to Dulles International Airport on November 17, 2016, and then made his way up to Baltimore on November 18, 2016. Location data for TT2 revealed that on November 21, 2016, Alex Chapackdee departed from BWI Airport and later arrived at Sea-Tac Airport. Location data for TT1 revealed Tuan Van Le departed the Maryland area on November 21, 2016, then traveled over east-west interstate highways and arrived at his residence on November 23, 2016.

January 2017 Trip

36. Review of location data for TT1 revealed Tuan Van Le again arrived at BWI Airport on January 14, 2017. Through use of the tracking data for TT1, investigators observed Tuan Van Le at S.G.'s residence in Huntington, MD on January 15, 2017. Based upon review of the location data for TT2, Alex Chapackdee did not similarly make a trip to Baltimore.[2] Investigators suspect (but do not know for sure) that other unidentified DTO members transported a load of marijuana to Baltimore without Alex Chapackdee. Location data for TT1 determined Tuan Van Le was in Flushing, New

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[2] It is my understanding that Chapackdee had suffered an injury which may account for his failure to make this trip.

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York on January 17-18, 2017; in Nashville, Tennessee on January 18-19, 2017; and he arrived back at Sea-Tac Airport on January 19, 2017, at approximately 9:30 pm PST.

March 2017 Trip

37. Surveillance and review of location data for TT1 and TT2 revealed that Tuan Van Le and Alex Chapackdee took yet another trip to the Baltimore area on March 16-21, 2017. Location data for TT1 revealed Tuan Van Le flew from Sea-Tac Airport to Dulles International Airport on March 16, 2017, and then made his way up to the hotel area near BWI. Investigators were unable to locate Tuan Van Le during attempted surveillance on March 17, 2017, but location data for TT1 revealed he traveled to parts of Maryland, including downtown Annapolis. Location data for TT2 revealed Alex Chapackdee flew from Sea-Tac Airport to BWI on March 17, 2017, and during the late afternoon he was picked up in a rental vehicle by Tuan Van Le and they drove to the BWI Sheraton Hotel.

38. On March 18, 2017, investigators observed Tuan Van Le, Alex Chapackdee, and another male working on a 1997 Winnebago RV, WA license plate BAJ0936, registered to Samath Khanhphongphane. This RV was parked in a long term storage lot space rented by S.G.. The RV was observed leaving the storage location and was later observed in the parking lot at the BWI Sheraton Hotel.

39. Location data for TT1 and TT2 revealed Tuan Van Le and Alex Chapackdee departed the BWI area at around 3:40 am EDT on March 19, 2017, and later traveled westbound through Virginia on Interstate 81. The location data reflected they continued westbound on interstate highways through Nashville, Tennessee; St. Louis, Missouri; Denver, Colorado; and Ogden, Utah.

40. On March 21, 2017, at approximately 5:15 am PDT, location data for TT1 and TT2 revealed Tuan Van Le and Alex Chapackdee arrived in the vicinity of Tuan Van Le's new residence in Maple Valley, WA. At 5:20 am PDT, a drive-by at that residence identified a parked Winnebago RV. Later that morning, the RV was confirmed to have WA plate BAJ0936, which as noted above is registered to Samath Khanhphongphane. At

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approximately, 5:40 am PDT, location data for TT2 and a pole camera revealed that Alex Chapackdee arrived back at his residence in a red van with roof rack owned by Tuan Van Le. Khanhphongphane's RV has more recently been observed on the poll camera periodically parked at Chapackdee's residence.

April 2017 Trip – Seizure of Approximately 200 lbs. of Marijuana

41. Review of pole camera surveillance footage at Alex Chapackdee's home revealed that on April 16, 2017, at 10:06 pm PDT, a van with roof rack pulled in and parked next to Chapackdee's Flair RV. Two individuals were observed alongside the van. Investigators suspect the individuals may have loaded marijuana from the van into the RV.

42. Surveillance and review of location data for TT2, TT3 and TT4 revealed that Alex Chapackdee, Samath Khanhphongphane, and Phi Nguyen departed on April 17, 2017 on a cross country trip to Maryland in Chapackdee's Flair RV. Location data for TT1 revealed Tuan Van Le flew from Sea-Tac Airport to Dulles International Airport on April 17-18, 2017. On April 18, 2017, Tuan Van Le was observed meeting with an individual known to law enforcement as a drug trafficker (hereafter, CHS2) at CHS2's residence Maryland and then later at a restaurant in Annapolis, MD.

43. CHS2's criminal history reflecting two prior federal drug convictions. On or about 2004, CHS2 pleaded guilty to conspiracy to distribute cocaine. On or about 2014, CHS2 was convicted for conspiracy to distribute marijuana. He/she was still on supervision for the latter offense at all times relevant to this affidavit.

44. During surveillance on the morning of April 19, 2017, investigators observed Alex Chapackdee's Flair RV arrive at CHS2's residence and the RV was met by Tuan Van Le, who had already driven there in a rental vehicle. Investigators observed CHS2, Le, and the RV occupants, believed to be Chapackdee, Khanhphongphane, and Nguyen, unload multiple boxes from the RV and place them in CHS2's home. The DTO members departed CHS2's residence and investigators followed them to the Aloft BWI Hotel. Investigators later observed a sport utility vehicle (SUV) departing CHS2's

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residence. Investigators followed the SUV and after a traffic violation was observed it was pulled over. The officer conducting the traffic stop noticed that the driver was very nervous and there was a pungent odor of masking agents emanating from the SUV. Another officer arrived with a drug sniffing dog to conduct an outer narcotics scan of the SUV. The dog alerted to the positive presence of the odor of illicit narcotics. Officers lifted the rear hatch of the SUV and found two cardboard boxes containing 17 large heat-sealed bags of what is believed to contain marijuana. Officers also found five 15 mlg green pills suspected to be Oxycodone Hydrochloride on the driver of the SUV. CHS2 and another male were observed loading five large cardboard boxes from his residence into a minivan. As CHS2 was departing in the minivan he was stopped. Investigators detained CHS2 while Maryland warrants were obtained to search his residence and minivan. After securing the warrant the searches were executed and located was what investigators believed to be marijuana packed in one pound bags in the boxes that had been loaded into the minivan and in a box inside of CHS2's home. In total 184 lbs. of what is believed to be marijuana was seized.

45. Location data for TT1, TT2, TT3, and TT4 revealed Tuan Van Le, Alex Chapackdee, Samath Khanhphongphane, and Phi Nguyen departed the BWI area at around 6:15 pm EDT on April 19, 2017, and later traveled westbound through Virginia on Interstate 66 and 81. The location data reflected they continued westbound on interstate highways through Nashville, Tennessee; St. Louis, Missouri; and Montana.

46. On April 21, 2017, at approximately 11:15 pm PDT, location data for TT2 and TT3 reflect Alex Chapackdee and Samath Khanhphongphane arrived in the vicinity of Chapackdee's residence. At that time, the pole camera footage showed Chapackdee's Flair RV arrived at Chapackdee's home. At 11:45 pm PDT, location data for TT1 reflect Tuan Van Le arrived in the vicinity of his residence in Maple Valley.

47. Shortly after returning to the Seattle area from this latest trip, Tuan Van Le is believed to have stopped using TT1.

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48. After his arrest, CHS2 agreed to cooperate with law enforcement. Since that date, CHS2 has made a number of recorded calls with Le regarding this marijuana delivery. Those calls, and CHS2, confirm that Le "fronted" the marijuana to CHS2 and expects payment. On May 4, 2017, Le called CHS2 and told him he would be travelling to Maryland to visit CHS2. It is presently unknown whether Le is traveling to Maryland to merely pick up the money owed, or is also bringing a new load of marijuana with him, consistent with the prior trips.

Based on the above facts, I respectfully submit that there is probable cause to believe that TUAN VAN LE, ALEX CHAPACKDEE, SAMATH KHANHPHONGPHANE and PHI NGUYEN did knowingly and intentionally conspire to distribute marijuana, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)B) and 846.

Mark Nakatsu, Complainant
Special Agent, FBI

Based on the Complaint and Affidavit sworn to before me, and subscribed in my presence, the Court hereby finds that there is probable cause to believe the Defendants committed the offense set forth in the Complaint.

Dated this 5th day of May, 2071.

The Honorable Brian A. Tsuchida
United States Magistrate Judge

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